

REMARKS

Claims 1-20 are pending in the present application. With entry of this Amendment, Applicant amends claims 1, 2, 6-9 and 13-20.

The Examiner considered the incorporation by reference in the specification at page 1, lines 4-6 to be improper. Applicant has deleted the cited section of the specification.

The Examiner rejected claims 1-20 under 35 U.S.C. § 112, second paragraph, for failing to positively recite a “plurality of note lengths.” In one embodiment of the present invention, a plurality of note lengths can be selected to form a cutting pattern for imparting an effect (see, e.g., specification at page 8, lines 4-6 and page 9, lines 9-12). Applicant has amended claim 1 to recite “an operating device for providing a plurality of selectable note lengths” and a first changing pattern generator that generates a first changing pattern by combining “a first selected plurality of note lengths.” Independent claims 8 and 17-20 have been similarly amended. Applicant respectfully requests that the Examiner withdraw the rejection under § 112, second paragraph, with respect to claims 1, 8 and 17-20 and their corresponding dependent claims. Applicant notes certain dependent claims have been amended to place them in better form.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is in condition for allowance. Reexamination and reconsideration of the application and allowance of the claims at an early date is respectfully requested.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicant requests that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5630 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit**

Application No.: 10/032,607

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Docket No.: 393032029600

Account No. 03-1952 referencing docket no. 393032029600. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: November 20, 2003

Respectfully submitted,

By 

Mehran Arjomand

Registration No.: 48,231

MORRISON & FOERSTER LLP

555 West Fifth Street, Suite 3500

Los Angeles, California 90013

(213) 892-5630